



**Eric Gonzalez**  
District Attorney

**DISTRICT ATTORNEY  
KINGS COUNTY**

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**[INSERT NAME]**  
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]  
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

**MOS NAME:**                   **MICHAEL SMITH**

**MOS TAX:**                   **[REDACTED]**

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

THE NYPD ENTERED A DISPOSITION OF OTHER MISCONDUCT NOTED FOR THE FOLLOWING ALLEGATION, DATED 6/19/2007, AGAINST MOS SMITH:  
CASE STATUS: CLOSED ON 09/12/2007

**Disclosure # 2:**

MOS ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENT CHARGES AND SPECIFICATIONS:  
ALLEGATIONS:

1. MOS SMITH, ASSIGNED TO QUEENS NARCOTICS, WHILE AT 108<sup>TH</sup> PRECINCT OR QUEENS NARCOTICS, WHILE ON DUTY, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT IN THAT SAID MOS, ON FOUR OCCASIONS ON OR ABOUT THE DATES OF 02/1/2005, 8/21/2005, 09/16/2006, AND 09/23/2006, WORKED A PAID DETAIL, TOTALING APPROXIMATELY SIX HOURS AND SIX-TEEN MINUTES, WHEN HE SHOULD HAVE BEEN WORKING HIS SCHEDULED DEPT. TOUR.
2. MOS SMITH ASSIGNED AS INDICATED IN SPECIFICATION #1, ON OR ABOUT 03/19/2007, DID ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT, IN THAT SAID OFFICER WORKED A PAID DETAIL ON A DATE FOR WHICH HE SUBMITTED AN OVERTIME REQUEST, TOTALING APPROXIMATELY EIGHT HOURS AND TWENTY-SIX MINUTES, FOR WHICH HE WAS COMPENSATED.
3. MOS SMITH ASSIGNED AS INDICATED IN SPECIFICATION #1, ON OR ABOUT AND BETWEEN 02/1/2005 AND 03/19/2007, WRONGFULLY CAUSED FALSE ENTRIES TO BE MADE IN DEPARTMENT RECORDS, WHICH INCLUDED NYPD PAID DETAIL CARDS, ROLL CALLS, AND AN OVERTIME REPORT.

CASE STATUS: CLOSED ON 7/8/2009

PENALTY: DISMISSAL PROBATION FOR ONE (1) YEAR AND FORFEITURE OF THIRTY (30) VACATION DAYS.  
\$371.40 RESTITUTION TO THE DEPARTMENT. ADJUSTED TO REFLECT A SUBTRACTION OF SIX HOURS AND SIXTEEN MINUTES FROM LEAVE TIME.

**Disclosure # 3:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, ARISING OUT OF AN INCIDENT ON 02/09/2012, AGAINST MOS SMITH:

ALLEGATION:

1. MOS SMITH, ASSIGNED TO BCS, OF THE BROOKLYN COURT SECTION, WAS UNPREPARED FOR TRAFFIC VIOLATIONS BUREAU COURT IN THAT HE FAILED TO APPEAR WITH HIS OFFICER'S COPY OF MOVING VIOLATION SUMMONS AND THE MEMO BOOK THAT CORRESPONDED WITH SAID SUMMONS

CASE STATUS: CLOSED ON 09/20/2012

PENALTY: B CD ISSUED AND FORFEITURE OF THREE (3) ANNUAL LEAVE DAYS.

**Disclosure # 4:**

MOS SMITH ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENT CHARGES AND SPECIFICATIONS, ARISING OUT OF AN INCIDENT ON 02/07/2013:

1. MOS SMITH, WHILE ASSIGNED TO THE 108TH PRECINCT, AT ABOUT 0235 HOURS, WHILE OFF DUTY, HAVING BEEN PRESENT AT A SHOOTING INCIDENT AT A LOCATION KNOWN TO THE DEPARTMENT, WRONGFULLY DID FAIL AND NEGLECT TO REMAIN AT THE SCENE OF THE INCIDENT, AND TO REQUEST THE RESPONSE OF THE PATROL SUPERVISOR, PRECINCT OF OCCURRENCE, AS REQUIRED.
2. MOS SMITH, WHILE ASSIGNED TO THE 108TH PRECINCT, AT ABOUT 0235 HOURS, WHILE OFF DUTY, HAVING BEEN PRESENT AT A SHOOTING INCIDENT AT A LOCATION KNOWN TO THE DEPARTMENT, WRONGFULLY IMPEDED A UNIFORMED MOS OR BY IDENTIFYING TO SAID MOS OTHER PEOPLE WHO HAD BEEN PRESENT AT SAID INCIDENT.
3. MOS SMITH, WHILE ASSIGNED TO THE 108TH PRECINCT, AT ABOUT 0235 HOURS, WHILE OFF DUTY, HAVING BEEN PRESENT ALONG WITH ANOTHER OFF DUTY MOS AT A SHOOTING INCIDENT AT A LOCATION KNOWN TO THE DEPARTMENT, WRONGFULLY DID FAIL AND NEGLECT TO REPORT TO THE INTERNAL AFFAIRS BUREAU THAT SAID OTHER MOS DID NOT REMAIN AT THE SCENE OF THE INCIDENT, REQUEST THE RESPONSE OF THE PATROL SUPERVISOR, PRECINCT OF OCCURRENCE OR IDENTIFY HIMSELF TO RESPONDING MOS.

CASE STATUS: CLOSED ON 07/31/2013

PENALTY: FORFEITURE OF THIRTY (30) VACATION DAYS.

**Disclosure # 5:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 7/16/2018, AGAINST MOS SMITH:

ALLEGATION:

1. DRIVER LICENSE SUSP/REVOKED/EXP

CASE STATUS: CLOSED ON 10/11/2018

PENALTY: VERBAL INSTRUCTIONS.

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE UNAWARE OF ANY PENDING AND OR SUBSTANTIATED CCRB ALLEGATIONS AGAINST THIS OFFICER.**

Eric Gonzalez  
District Attorney  
Kings County